<u>PATENT</u> <u>IN THE UNITED STATES PATENT AND TRADEMARK OFFICE</u>

APPLICANT:

FERRER ET AL - 1 PCT

PCT NO.:

PCT/EP2004/052492

PCT FILED: OCTOBER 11, 2004

SERIAL NO.:

10/575,505

TITLE:

TRANSGENIC ORGANISMS WITH LOWER GROWTH TEMPERATURE

STATEMENT UNDER RULES 821(e), 821(f), 821(q), 825(b) & 825(d)

MAIL STOP: PCT

Hon. Commissioner of Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

It is stated that the content of the enclosed paper Sequence Listing and computer readable form Sequence Listing are the same and contain no new matter as required by U.S.P.T.O. Rules 821(e), 821(f), 821(g), 825(b) & 825(d).

Respectfully submitted,

Manuel FERRER ET AL

COLLARD & ROE, P.C. 1077 Northern Boulevard Roslyn, New York 11576 (516) 365-9802 Allison C. Collard, Reg. No. 22,532

Elizabeth Collard Richter, Reg.No.35,103

Frederick J. Dorchak, Reg.No.29,298

Attorneys for Applicants

ECR: 1gh

Enclosures: Sequence Listing and diskette

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on Aprill , 2009.

Amy Klein